

REMARKS

Reconsideration of the application is respectfully requested in view of the comments and amendments herein.

I. The Office Action

Claim 38 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Claims 1-3, 5-8, 12-16, 18-21, 25-26, 40, 43, 45 and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by Bokor et al. (WO 02/11214) (family member U.S. 7,064,480 B2 used as translation).

Claims 4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bokor et al. in view of Zou et al (Applied Physical Letters 79(14), 2282-2284).

II. Rejection of Claim 38 Under 35 U.S.C. 112, First Paragraph

Applicants do not agree with the Examiner's rejection, but to expedite prosecution the claim has been canceled.

III. Rejection of Claims 1-3, 5-8, 12-16, 18-21, 25-26, 40, 43, 45 and 46 Under 35 U.S.C. 102(b)

Claims 1-3, 5-8, 12-16, 18-21, 25-26, 40, 43, 45 and 46 have been rejected under 35 U.S.C. 103(a) as being anticipated by Bokor et al. (WO 02/11214) (family member US 7,064,480 B2 used as translation). Applicant respectfully traverses the rejection for at least the following reasons. Bokor does not teach or suggest the invention as set forth in the subject claims.

As amended, independent claim 1, and similarly independent claims 14, 40 and 46, recites a phosphor composition radiationally coupled to the light source, the phosphor composition comprising $(\text{Ba}, \text{Sr}, \text{Ca})\text{SiO}_4:\text{Eu}$, wherein said $(\text{Ba}, \text{Sr}, \text{Ca})\text{SiO}_4:\text{Eu}$ phosphor comprises $(\text{Sr}_{0.95}\text{Ba}_{0.025}\text{Eu}_{0.025})_2\text{SiO}_4$ or $(\text{Sr}_{0.58}\text{Ca}_{0.036}\text{Eu}_{0.06})_2\text{SiO}_4$. The Examiner correctly asserts that within the context of the invention as recited in independent claims 1, 14 and 40, the phosphors specifically comprising $(\text{Sr}_{0.95}\text{Ba}_{0.025}\text{Eu}_{0.025})_2\text{SiO}_4$ or $(\text{Sr}_{0.58}\text{Ca}_{0.036}\text{Eu}_{0.06})_2\text{SiO}_4$ have not been found nor are said phosphors obvious over the prior art. (Office Action, p.13). The Examiner further states that if dependent claims 9-11, 22-24 and 41-42 were rewritten in independent form,

the claims would be allowable. The amendments to claims 1, 14, 40 and 46 incorporate the features of dependent claims 9-11, 22-24 and 41-42.

In light of the foregoing, Bokor fails to teach or suggest the subject invention as recited in independent claims 1, 14, 40 and 46 (along with claims 2-3, 5-8, 12-13, 15-16, 25-26, 43 and 45 that depend therefrom). Accordingly, it is respectfully requested that the rejections be withdrawn.

IV. Rejection of Claims 4 and 17 Under 35 U.S.C. 103(a)

Claims 4 and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Bokor in view of Zou et al. (Applied Physics Letters 79(14), 2282-2284). The Examiner asserts that Bokor fails to teach the light source to be an organic emissive structure; however, it would have been obvious to teach said organic emissive structure in view of Zou, who disclosed an organic light emitting diode with a peak wavelength in the UV range of about 380 nm. Applicant respectfully traverses the rejection.

Claims 4 and 17 depend from and include all of the elements of independent claims 1 and 14; which are distinguishable over Bokor, as set forth above. Zou does not make up for the aforementioned deficiencies of Bokor with regard to claims 1 and 14. Therefore, Applicant respectfully requests withdrawal of the rejection of claims 4 and 17.

CONCLUSION


For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-8, 11-21, 24-34, 37-40, 43, 45 and 46) are now in condition for allowance.

Respectfully submitted,

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Date



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